

TWENTY-SEVENTH DAY

(Thursday, February 25, 1937)

The House met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Hon. Howard Davison of Fisher County.

The roll of the House was called and the following Members were present:

Mr. Speaker	Heflin
Adkins	Herzik
Alexander	Holland
Alsup	Hoskins
Amos	Howard
Baker	Huddleston
Beckworth	Hull
Bell	Hyder
Blankenship	Jackson
Boethel	James
Bond	Johnson of Ellis
Boyer	Johnson
Bradbury	of Tarrant
Bradford	Jones of Angelina
Bridgers	Jones of Atascosa
Broadfoot	Jones of Falls
Brown	Jones of Wise
Burton	Keefe
Cagle	Keith
Callan	Kelt
Carssow	Kenyon
Cathey	Kern
Cauthorn	King
Celaya	Knetsch
Cleveland	Langdon
Colquitt	Lankford
Davis of Haskell	Leath
Davis of Jasper	Leonard
Davison of Fisher	Leyendecker
Davisson	Little
of Eastland	Loggins
Deglandon	London
Derden	Lucas
Dickson	Mann
Dollins	Mauritz
England	Mays
Farmer	McConnell
Felty	McCracken
Fielden	McDonald
Fox	McFarland
Fuchs	McKee
Gibson	McKinney
Graves	Metcalfe
Hamilton	Moffett
Hankamer	Monkhouse
Hanna	Morris
Harbin	Morse
Hardin	Nicholson
Harper	Oliver
Harrell	Palmer
Harris of Archer	Patterson of Mills
Harris of Dallas	Patterson
Harris of Dickens	of Travis
Hartzog	Petsch

Pope	Smith of Hopkins
Powell	Smith
Prescott	of Matagorda
Quinn	Smith of Tarrant
Ragsdale	Stevenson
Reader	Stinson
Reed of Bowie	Stocks
Reed of Dallas	Talbert
Rhodes	Tennant
Riddle	Tennyson
Roark	Thornberry
Ross	Thornton
Russell	Vale
Ruttsa	Waggoner
Schuenemann	Walker
Settle	Weldon
Sewell	Westbrook
Sharpe	Winfree
Shell	Wood
Simpson	Worley
Skaggs	

Absent—Excused

Bates	Newton
Dean	Tarwater
Lanning	

A quorum was announced present.

Rev. George W. Coltrin, Chaplain, offered prayer.

COMMUNICATION FROM HON. R. W. CALVERT

The Chair laid before the House and had read the following communication from Hon. R. W. Calvert, Speaker:

State of Texas
Austin

February 25, 1937.

Mrs. Louise Snow Phinney, Chief Clerk, House of Representatives, Austin, Texas.

Dear Mrs. Phinney:

The necessity of my appearance before the State Highway Commission with a delegation of citizens from Hill and Navarro Counties, at 9:30 Thursday morning, February 25, makes it impossible for me to be present to call the House to order at 10:00 o'clock a. m., and in my absence I hereby appoint and designate Honorable Howard Davison to call the House of Representatives to order and to preside over the same.

Yours very truly,

R. W. CALVERT.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Lanning for today, on motion of Mr. King.

Mr. Tarwater for today, on motion of Mr. Nicholson.

Mr. Dean for today, on motion of Mr. Vale.

Mr. Newton for today, on motion of Mr. Roark.

The following Member was granted leave of absence on account of illness:

Mr. Bates for today, on motion of Mr. Loggins.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Blankenship, Mr. Heflin, Mr. Baker, Mr. McDonald, Mr. Rhodes and Mr. Morse:

H. B. No. 733, A bill to be entitled "An Act amending Article 718, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Blankenship, Mr. Heflin, Mr. Baker, Mr. McDonald, Mr. Rhodes and Mr. Morse:

H. B. No. 734, A bill to be entitled "An Act amending Article 417, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Vale:

H. B. No. 735, A bill to be entitled "An Act providing the manner in which Sheriffs in certain counties may appoint deputies; providing the number of deputies that may be appointed and the fund from which they shall be paid, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Alsup, Mr. Wood, Mr. Oliver and Mr. Mays:

H. B. No. 736, A bill to be entitled "An Act providing that any person, firm, corporation or association of persons engaging in the occupation of cleaning and/or pressing clothing or other materials, and any person, firm, corporation or association of persons engaged in the business of printing,

who shall transact or solicit business in this State shall maintain a business establishment within the State; providing a penalty for violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Kenyon:

H. B. No. 737, A bill to be entitled "An Act providing that the Texas Ranger force and its members shall hereafter be used for the purpose of preventing and suppressing major and organized crime throughout the State in addition to the duties now prescribed by law for such Texas Rangers and making it unlawful for the person or persons in control of said Texas Rangers to send any member of said Texas Ranger force into any county in this State for the enforcement of local sumptuary laws, not of the grade of major offences, and making it unlawful for any member of the Texas Ranger force to go into any county in this State and attempt to enforce any local laws or make any arrests in connection therewith, . . . etc., and repealing all laws in conflict herewith."

Referred to the Committee on State Affairs.

By Mr. Broadfoot and Mr. Rhodes:

H. B. No. 738, A bill to be entitled "An Act amending Article 2118 of the Revised Civil Statutes of 1925; providing that where foreclosure is had upon a Deed of Trust or Mortgage lien upon real estate, the debtor may redeem said land within two years by making certain additional payments, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hyder:

H. B. No. 739, A bill to be entitled "An Act providing for the painting of school busses in a distinctive design of colors of red, white and blue; and making it unlawful for any vehicle using the public highway for purposes other than the transportation of school children to be painted in a similar design as provided for school busses and providing a penalty; providing that all contracts for the transportation of school children shall provide for vehicles doing such transportation shall be painted ac-

cording to the Statutory design and prohibiting transportation of school children in any vehicle not so painted, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Metcalfe and Mr. Simpson:

H. B. No. 740, A bill to be entitled "An Act making an appropriation from the Treasury of the State of Texas from any funds, not otherwise appropriated, to the Upper Colorado River Authority; providing for the method of drawing warrants; providing for the payment thereof, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Callan:

H. B. No. 741, A bill to be entitled "An Act amending Article 793 of Criminal Procedure of Texas, 1925, as amended by Chapter 68, Acts of the Fortieth Legislature, First Called Session, as amended by Chapter 33, Acts of the Forty-third Legislature, Second Called Session, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Blankenship, Mr. McDonald, Mr. Rhodes, Mr. Baker and Mr. Heflin:

H. B. No. 742, A bill to be entitled "An Act providing that in any case, either criminal or civil in nature in the district courts of this State, the court may direct the calling of two additional jurors; providing for the manner of calling, examination, and qualifications of such jurors; prescribing the duties of such jurors; providing that if before final submission of the case a juror die or become ill, the court may order him discharged and fill his place with one of the alternate jurors provided for in this Act, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Blankenship, Mr. McDonald, Mr. Rhodes, Mr. Baker and Mr. Heflin:

H. B. No. 743, A bill to be entitled "An Act amending Articles 543 and 544, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Blankenship, Mr. McDonald, Mr. Rhodes, Mr. Baker and Mr. Heflin:

H. B. No. 744, A bill to be entitled "An Act amending Article 588, Code of Criminal Procedure of Texas, 1925, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Blankenship, Mr. McDonald, Mr. Rhodes, Mr. Baker and Mr. Heflin:

H. B. No. 745, A bill to be entitled "An Act amending Article 597, Code of Criminal Procedure of Texas, 1925, by providing that the Sheriff in summoning a special venire may make service by registered mail, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Vale:

H. B. No. 746, A bill to be entitled "An Act to prohibit fraternities, sororities, and secret societies in the public schools of the State, to provide for the enforcement of same, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Knetsch:

H. B. No. 747, A bill to be entitled "An Act fixing the amount of maximum fees that may be retained by Justices of the Peace and Constables in Counties containing not less than eleven thousand, nine hundred eighty (11,980) inhabitants, and not more than twelve thousand, one hundred (12,100) inhabitants according to the last preceding Federal Census, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Knetsch:

H. B. No. 748, A bill to be entitled "An Act amending Chapter 465, of the Acts of the Forty-fourth Legislature, Second Called Session, by adding a new section thereto, to be known as Section 2a, providing that in Counties containing a population of less than one hundred ninety thousand (190,000) inhabitants according to the last preceding Federal Census wherein the precinct officers are placed on a salary basis, shall receive as compensation in addition to the salary fixed, certain commissions and payments for certain

services performed, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Knetsch:

H. B. No. 749, A bill to be entitled "An Act amending Article 3933 of the Revised Civil Statutes of Texas, fixing the fees for Sheriffs and Constables in serving processes in all civil matters, and repealing Article 3936 of the Revised Civil Statutes of Texas, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Quinn, Mr. Nicholson, Mr. McKee and Mr. Kenyon:

H. B. No. 750, A bill to be entitled "An Act to amend Section 1 of Chapter 144, Acts, Regular Session of the Forty-fourth Legislature, page 383 of the Compiled Laws of said Session; providing the open season for the killing of wild mourning doves; and providing that it be lawful to hunt, take or kill wild mourning doves during the months of October and November in the Counties of Chambers, Jefferson and Orange, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Heflin, Mr. Jones of Angelina, Mr. Johnson of Tarrant, Mr. Harper, Mr. James, Mr. McKinney and Mr. Hoskins:

H. B. No. 751, A bill to be entitled "An Act amending Article 306, Revised Civil Statutes of Texas, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hankamer, Mr. Metcalfe, Mr. Jackson, Mr. Bridgers, Mr. Stevenson, Mr. Bradford and Mr. Cauthorn:

H. B. No. 752, A bill to be entitled "An Act making an appropriation to reimburse growers and producers of cotton for expenses incurred during the years of 1933 through 1936 by reason of the establishment by the State of Texas of regulations requiring such growers and producers to pay for fumigation of cotton and sterilization of seed, and also to pay expenses of the Compensation Claim Board in carrying out the provisions of this Act; . . . etc., and declaring an emergency."

Referred to the Committee on Claims and Accounts.

By Mr. Derden and Mr. Russell:

H. B. No. 753, A bill to be entitled "An Act creating a County and District Officials Fund; providing for the disbursement and distribution of said fund, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Derden:

H. B. No. 754, A bill to be entitled "An Act granting aid to the property and inhabitants of Falls County, Texas, because of the public calamities which have occurred in said County by reason of floods on the Brazos River which have caused great destruction of property; . . . etc., and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Reader (by request):

H. B. No. 755, A bill to be entitled "An Act authorizing all cities and towns whether incorporated under General Law or under Special Charter granted by the Legislature or by charter adopted or amended by vote of the people, to construct or acquire otherwise, and install sanitary equipment as provided herein, to pay for same or to issue its obligations in connection therewith, to charge rentals for use of said equipment, to issue revenue bonds, notes or warrants based on such income and further secured by a mortgage on such properties; . . . etc., and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Hyder:

H. B. No. 756, A bill to be entitled "An Act relating to courses of instruction in the Government of Texas and the Government of the United States, including instruction in the Constitution of Texas and the Constitution of the United States, in schools, colleges, and universities supported by public funds; amending Chapter 83, Acts of the Second Called Session of the Forty-first Legislature; and also amending Chapter 5, Acts of the Fourth Called Session of the Forty-first Legislature."

Referred to the Committee on Education.

By Mr. Brown:

H. B. No. 757, A bill to be entitled "An Act to provide for an open sea-

son to hunt, take or kill wild mourning doves in Cherokee County, Texas, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Blankenship:

H. B. No. 758, A bill to be entitled "An Act amending Article 700, Code of Criminal Procedure of Texas, 1925, by providing that the defendant shall be committed to and confined in the State Hospital of Insane until he shall become sane; prescribing the procedure to be followed in determining whether defendant has become sane and for his release in the event that such defendant has become sane; providing that if defendant be not sane he shall be recommitted to the State Hospital, and declaring an emergency."

Referred to the Committee on Criminal Jurisprudence.

By Mr. Palmer:

H. B. No. 759, A bill to be entitled "An Act defining a Wholesale Fur Buyer, a Retail Fur Buyer and a Trapper; providing licenses for those engaged in such business and defining the privileges granted under such licenses; providing for the disposition of funds collected from the sale of such licenses; repealing all laws in conflict with this Act, and specifically that portion of the law of this State requiring a tax receipt tag to be attached to the pelts of fur-bearing animals; providing a suitable penalty for violation of any provision of this Act, and declaring an emergency."

Referred to the Committee on Game and Fisheries.

By Mr. Dickison, Mr. Jones of Wise, Mr. Smith of Tarrant, Mr. Newton, Mr. Hyder, Mr. Roark, Mr. McCracken, Mr. Felty, Mr. Mann, Mr. McKee, Mr. Reader, Mr. Vale and Mr. Amos:

H. B. No. 760, A bill to be entitled "An Act defining certain words, terms and phrases as used in the Act; promoting economic security and stability among employees of public schools; fixing regulations under which public school employees may be dismissed or demoted; providing for employee compliance in improving public school standards, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Simpson (by request):

H. B. No. 761, A bill to be entitled "An Act to amend Sections 1 and 3 of an 'Act creating the Henderson Independent School District of Concho County, Texas', passed by the Legislature, and approved by the Governor, March 24, 1925; providing for the changing of the boundary lines so as to include into the Henderson Independent School District all of that certain tract of land owned by O. L. Boyles; as described in a deed to him and recorded in Book No. 28, page 592 of the Records of Deeds of Concho County, Texas; and to amend Section 3, of said Act, so as to grant and provide for certain authority and certain duties for the Board of Trustees and other officers of said District as hereinafter set out in said Act creating said District, and declaring an emergency."

Referred to the Committee on School Districts.

By Mr. Hankamer, Mr. Jackson and Mr. Bridgers:

H. B. No. 762, A bill to be entitled "An Act setting forth the title of the Superintendent of the hospital, his restrictions, rules and regulations, and further the powers and duties of said Chief Executive Officer and the powers of the Board of Managers, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Hankamer, Mr. Jackson and Mr. Bridgers:

H. B. No. 763, A bill to be entitled "An Act providing for sworn applications to be filled out and sworn to by any application to any county hospital sustained by said County as to their destitute conditions, and failure of means to go elsewhere, and providing said applications must be filed prior to the entrance thereto or as soon thereafter as possible, and prior to the departure of said patient from said county hospital; providing further the duties and powers of said superintendent of said county sustained hospital and his restrictions and providing restrictions on all officers or employees of said hospital, and providing further that this Act shall not apply to admission of emergency cases, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Davisson of Eastland and Mr. Ross:

H. B. No. 764, A bill to be entitled "An Act to amend Chapter 209 of the Acts of the Regular Session of the Forty-third Legislature so as to define the rights and duties of the State Board of Education to exact of school districts and cities and towns which have assumed control of public schools located therein the performance of certain prescribed duties in instances wherein all or any part of the bonds of such districts, cities or towns are owned by the Permanent School Fund; . . . etc., and declaring an emergency."

Referred to the Committee on Education.

By Mr. Fielden:

H. B. No. 765, A bill to be entitled "An Act amending Article 2350 by adding thereto another section to be designated as Article 2350 (4), providing for the salaries of members of the Commissioners' Court in counties with a population bracket of between sixteen thousand (16,000) and sixteen thousand and forty (16,040), and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Palmer:

H. B. No. 766, A bill to be entitled "An Act creating 'The Board for the Developing of Minerals within State Parks'; providing the duties and authority of said Board; providing for the opinion of the Attorney General of Texas as to legality of leases, contracts and/or agreements; providing for the custody of all files and records of said Board; providing for disposition of money accruing from leases, contracts and/or agreements made by said Board; . . . etc., and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. Smith of Tarrant, Mr. Johnson of Tarrant, Mr. Amos, Mr. Farmer and Mr. King:

H. B. No. 767, A bill to be entitled "An Act making an appropriation to be paid out of the General Revenue Fund of the State of Texas, the total sum of \$7,367.31, as aid to certain school districts to compensate them for the loss sustained by them in their interest and sinking funds and

local maintenance funds, resulting from the removal from their tax rolls of large amounts of property acquired and now owned by the Tarrant County Water Control and Improvement District No. 1, which is exempt from taxation; . . . etc., and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Smith of Tarrant, Mr. Johnson of Tarrant, Mr. Amos, Mr. Farmer and Mr. King:

H. B. No. 768, A bill to be entitled "An Act authorizing and empowering the Tarrant County Water Control and Improvement District No. 1 to make an adjustment with the Dido Common School District No. 2, the Azle Common County Line Consolidated School District No. 18, and the Liberty Common School District No. 101, for the losses sustained by said school districts, or any of them, by reason of the removal of large portions of the taxable property from the tax rolls of said school districts, as a result of the creation of said water control and improvement district, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Reader (by request):

H. B. No. 769, A bill to be entitled "An Act amending Article 4469, Revised Civil Statutes of Texas, 1925, as amended by Chapter 159, Acts of the Forty-second Legislature, Regular Session, requiring the registration fee of all manufacturers of foods and drugs and all importers for sale or distribution of any article of food, drug or chemical; defining the terms 'manufacturer' and 'importer' as used in this Act; providing a penalty for the violation of the provisions of this Act, and declaring an emergency."

Referred to the Committee on Public Health.

By Mr. Mauritz and Mr. Petsch:

H. B. No. 770, A bill to be entitled "An Act to prevent the cancellation of a contract for the retail sale of automobiles entered into after the passage of this Act, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Beckworth:

H. B. No. 771, A bill to be entitled "An Act amending Section 5 of Article 8307, Revised Civil Statutes of Texas, 1925, as amended by Chapter 223, Acts, Regular Session of the Fortieth Legislature, and as amended by Chapter 224, Acts, Regular Session of the Forty-second Legislature and amending Section 1 of Chapter 208, Acts, Regular Session of the Forty-second Legislature, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Hankamer, Mr. Bridgers and Mr. Jackson:

H. B. No. 772, A bill to be entitled "An Act amending Section 9 of Chapter 101 of the General and Special Laws of the First Called Session of the Forty-third Legislature, being House Bill No. 31 and as amended by Chapter 346 of the General and Special Laws of the Regular Session of the Forty-fourth Legislature, being House Bill No. 991, providing the method of disbursement of the funds of such fireman, policeman, and fire alarm operator's pension fund, the section of said Acts so amended hereinafter set out, and declaring an emergency."

Referred to the Committee on State Affairs.

By Mr. Leonard:

H. B. No. 773, A bill to be entitled "An Act authorizing the Commissioner of Agriculture of this State to establish and maintain quarantine regulations in order to prevent the introduction into or the spread within this State of pests and diseases for the protection of Agricultural industry of this State, and to provide for the inspection of things and plants with reference to such quarantine, requiring persons to notify the Commissioner of Agriculture of the arrival of such things and plants against which a quarantine has been established and to hold them for inspection, and providing for the disposal of such infected things or plants by the Commissioner of Agriculture and further providing the manner of declaring such quarantines, and providing for investigation by the Commissioner of Agriculture in order to determine the existence of such pests and diseases and authorizing him to declare and enforce quarantine

in order to prevent the spread thereof, and declaring an emergency."

Referred to the Committee on Agriculture.

By Mr. Celaya:

H. B. No. 774, A bill to be entitled "An Act amending certain sections of Senate Bill No. 146 passed by the Regular Session of the Forty-fourth Legislature of the State of Texas, to-wit: Sections 5, 8, 11, 12, 15, 16, 17, and 23; providing for the Public Safety Commission to appoint a Director and an Assistant Director whose salaries shall be fixed by the Legislature; providing for the Director with the advice and consent of the Commission to appoint Chiefs of the several bureaus; providing for Texas Ranger captains, headquarters sergeant, and privates; providing that the Texas Highway Patrol Division shall consist of the Chief Patrol Officer, captains, sergeants, and privates as may be authorized by the Legislature, and such administrative and clerical help as determined by the Commission; providing for the Director with the advice and consent of the Commission, to name the Chief of the Bureau of Communications; . . . etc., and creating an emergency."

Referred to the Committee on State Affairs.

By Mr. Davisson of Eastland:

H. B. No. 775, A bill to be entitled "An Act making it the duty of the State Highway Department to purchase and issue two license number plate locking devices with each set of license number plates, said locking devices to be used to attach the rear license number plate of all motor vehicles; providing for the manner in which said locking devices are to be issued and replaced and prescribing certain duties pertaining thereto on the Highway Department and County Tax Collector; making it unlawful to drive a truck, trailer, or tractor after March 31, 1938 on any highway without the rear license plate being attached thereto in a certain manner; making it unlawful to sell a new motor vehicle after January 1, 1938, without providing a place to attach the rear license plate in a certain manner; making it unlawful to drive a motor vehicle after March 31, 1938, without the rear license plate

being attached with locking devices in good mechanical condition as authorized by the State Highway Department; . . . etc., and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. Davisson of Eastland:

H. B. No. 776, A bill to be entitled "An Act to provide for leasing school land by the owners of the soil as the agent of the State for production of oil and gas, relinquishing one-half the value of the royalty on the oil and gas, one-half of any sum paid in addition to royalty, and one-half of the annual rentals, and providing that such rentals be not less than 20c per acre; to make the minimum royalty not less than one-eighth of the gross production of oil and gas; to require the filing of a duplicate of such lease in the General Land Office of the State of Texas; to provide that the lease show the true consideration paid therefor; and to provide that no lease shall be effective until approved by the Commissioner of the General Land Office and a true copy thereof filed in the General Land Office; repealing all laws in conflict, and declaring an emergency."

Referred to the Committee on Public Lands and Buildings.

By Mr. McKee and Mr. Nicholson:

H. B. No. 777, A bill to be entitled "An Act amending Article 7331, Revised Civil Statutes of Texas, 1925, as amended by Chapter 20, paragraph 8, Acts of the Forty-first Legislature, Fourth Called Session, by adding thereto a section to be known as Article 7331a, providing that the Tax Assessor-Collector in each county shall be entitled to a fee of \$1.00 for preparing and issuing redemption receipts and certificates; reporting and crediting redemptions; posting Comptroller's redemption numbers on the delinquent tax record or annual delinquent list; mailing certificates of redemption to taxpayers after approval by the Comptroller; and for issuing receipts or certificates of redemption for property shown on the annual delinquent list for each of the years 1930, 1931, 1932, 1933, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Loggins:

H. B. No. 778, A bill to be entitled "An Act providing for the amount that may be allowed by County Boards of Trustees to the County Superintendents of Public Instruction for expenditures for office and traveling expenses in certain counties according to the last preceding Federal Census; making this Act cumulative of all General Laws on the same subject, such General Laws to apply except in case of conflict when the provisions of this Act shall control, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Fielden:

H. B. No. 779, A bill to be entitled "An Act amending Article 3883, Revised Civil Statutes, 1925, by adding another section thereto to be entitled Article 3883, subsection 7 (a), providing for compensation of all County and Precinct officials in counties of a population bracket of between sixteen thousand (16,000) and sixteen thousand and forty (16,040), according to the last preceding Federal Census, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Langdon:

H. B. No. 780, A bill to be entitled "An Act to declare the necessity of creating a governmental subdivision of the State to be known as 'Bosque Watershed Soil and Water Conservation District', and other governmental subdivisions of the State to be known as 'soil and water conservation sub-districts', to engage in conserving soil and water resources and preventing and controlling soil erosion; to establish the Bosque Watershed Soil and Water Conservation District; to establish the Bosque Watershed Soil and Water Conservation Committee and the Board of Directors of the Bosque Watershed Soil and Water Conservation District, and to define the powers and duties of the said Committee and Board; to provide for the creation of soil and water conservation sub-districts; to define the powers and duties of soil and water conservation sub-districts, and to provide for the exercise of such powers, including the power to acquire property by purchase, gift and

otherwise; . . . etc., and for other purposes."

Referred to the Committee on Conservation and Reclamation.

By Mr. McKee:

H. B. No. 781, A bill to be entitled "An Act amending Section One of Chapter 127, page 215, Acts, Regular Session, Forty-second Legislature, and declaring an emergency."

Referred to the Committee on Highways and Motor Traffic.

By Mr. McKee:

H. B. No. 782, A bill to be entitled "An Act to amend Article 2746, Chapter 13, Revised Civil Statutes, and declaring an emergency."

Referred to the Committee on Education.

By Mr. Celaya:

H. B. No. 783, A bill to be entitled "An Act making an emergency appropriation to the State Health Department out of the General Fund in the State Treasury, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Worley:

H. B. No. 784, A bill to be entitled "An Act amending Article 1013 of the Revised Civil Statutes of the State of Texas, 1925, providing for the publication of ordinance incorporated cities and towns where such ordinance impose a penalty, fine or forfeiture, further providing for publication in official papers published weekly, or in cities of less than 10,000 inhabitants, for proof of publication by the publisher to be filed with the City Secretary; providing when such shall be prima facie evidence in the courts, when ordinances shall take effect, when ordinances may be in book form, when ordinances shall be received in courts."

Referred to the Committee on Municipal and Private Corporations.

By Mr. Worley (by request):

H. B. No. 785, A bill to be entitled "An Act amending Section 10, Acts of 1935, Second Called Session of the Forty-fourth Legislature, page 1800, Chapter 467, House Bill No. 77, and declaring an emergency."

Referred to the Committee on Liquor Traffic.

By Mr. Worley:

H. B. No. 786, A bill to be entitled "An Act repealing Article 3883b, Revised Civil Statutes, 1925, being Acts of 1931, Forty-second Legislature, Special Laws, page 355, Chapter 174, paragraph 1, and declaring an emergency."

Referred to the Committee on Counties.

By Mr. Harris of Dickens and Mr. Settle:

H. B. No. 787, A bill to be entitled "An Act making an appropriation of Fifty Thousand (\$50,000.00) Dollars for the purpose of matching any sum of money that may be granted or donated by the Federal Government for the completion of the building of the West Texas Museum Association, located on the campus of the Texas Technological College, at Lubbock, Texas, and declaring an emergency."

Referred to the Committee on Appropriations.

By Mr. Mann:

H. B. No. 788, A bill to be entitled "An Act amending Article 4631 of Title 75 of the Civil Statutes of the State of Texas of 1925, and declaring an emergency."

Referred to the Committee on Judiciary.

By Mr. Mays:

H. B. No. 789, A bill to be entitled "An Act prescribing additional powers and duties of the Commissioners' Court in Counties having a population of not less than thirty thousand (30,000) and not more than thirty thousand one hundred (30,100) according to the latest Federal Census; making provisions for holding an election in each such county to determine whether a maintenance tax shall be levied against all property in such county for the support of public school therein; prescribing the duties of the County Judge and Commissioners' Court in reference to said election; prescribing the duties and powers of the several Boards of District Trustees, in determining the amount of money necessary to maintain the schools of each school district; . . . etc., and declaring an emergency."

Referred to the Committee on Education.

By Mr. Davis of Jasper (by request):

H. B. No. 790, A bill to be entitled "An Act repealing House Bill No. 124, Chapter 456, Acts of the First Called Session of the Forty-fourth Legislature, relating to the selling, taking or possession, for barter or sale, of wild fox or the pelt, in Newton and Jasper Counties."

Referred to the Committee on Game and Fisheries.

HOUSE JOINT RESOLUTIONS ON FIRST READING

The following House Joint Resolutions, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Hull:

H. J. R. No. 39, Proposing an amendment to the Constitution of the State of Texas to be known as Section 9a of Article VIII, providing that any county, city or town may levy for charitable purposes a tax not to exceed ten cents on the one hundred dollars valuation; providing for an election on the question of adoption or rejection of such an amendment, making an appropriation therefor; providing for the proclamation and publication thereof; prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Hankamer, Mr. Bridgers and Mr. Jackson:

H. J. R. No. 40, Proposing an amendment to Article XVI of the Constitution of the State of Texas by adding thereto a new section to be known as Section 30b; providing that the Legislature may authorize by law the creation of a system of civil service for the appointive officers of the respective county and Home Rule City governments of the several counties and Home Rule cities in the State and providing for submission of same to the qualified voters of the State; providing for the necessary proclamation and appropriating funds to defray the expenses of the proclamation, publication and election.

Referred to the Committee on Constitutional Amendments.

By Mr. Fielden:

H. J. R. No. 41, Proposing an amendment to Section 2, Article VI of the Constitution of the State of Texas by providing that any voter subject to payment of poll tax shall have paid such tax before offering to vote and hold a receipt showing such tax paid before the first day of June next preceding such election; providing for an election on the question of adoption or rejection of such an amendment, making an appropriation therefor; providing for the proclamation and publication thereof; prescribing the form of ballot.

Referred to the Committee on Constitutional Amendments.

By Mr. Smith of Tarrant, Mr. Johnson of Tarrant, Mr. Amos and Mr. Farmer:

H. J. R. No. 42, Proposing to amend the Constitution of the State of Texas, by adopting a new section, which shall provide that all lands owned by Water Control and Improvement Districts, Water Improvement Districts, Conservation and Reclamation Districts, Drainage Districts and Levee Improvement Districts, not used for public purposes, shall be subject to taxation by school districts within which such lands so used are located; and providing for the assessment and collection of taxes upon such lands by the proper authorities; and providing for an election upon such proposed constitutional amendment, and making an appropriation therefor.

Referred to the Committee on Constitutional Amendments.

By Mr. Fielden:

H. J. R. No. 43, Proposing an amendment to Section 51b of Article III of the Constitution of the State of Texas, authorizing the Legislature to provide for Old Age Insurance and for the payment of same not to exceed Fifteen (\$15.00) Dollars per month each to actual bona fide residents of Texas over the age of sixty-five (65) years who are not habitual criminals nor habitual drunkards nor inmates of State supported institution, and providing that the requirements of length of time of actual residence shall never be less than five (5) years during the nine (9) years immediately preceding the application for Old Age Insurance and contin-

uously for one (1) year immediately preceding such application; and providing that the Legislature shall have authority to accept from the Government of the United States financial aid for Old Age Insurance; and levying a three (3%) per cent tax on gross receipts from retail sales of tangible personal property in this State except products sold by the actual producer for the purpose of creating fund to pay Old Age Insurance and to support and maintain the public schools, all of said fund to be allocated to the Old Age Insurance, providing for the necessary proclamation and making an appropriation to pay for the necessary expenses of proclamation, publication and election.

Referred to the Committee on Constitutional Amendments.

By Mr. Metcalfe:

H. J. R. No. 44, Proposing to amend Section 3 of Article VII of the Constitution of Texas by providing that certain revenues derived from State occupation and poll taxes shall be set apart for the available school fund, and for the permanent school fund.

Referred to the Committee on Constitutional Amendments.

By Mr. Metcalfe:

H. J. R. No. 45, Proposing to amend Section 9 of Article VIII of the Constitution by authorizing the commissioners court of each county to levy annual taxes on all property subject to taxation in such county, not exceeding ten (10) cents on the One Hundred (\$100.00) Dollar's valuation for the purpose of creating a fund for the relief of poor and indigent persons who are bona-fide residents of the county.

Referred to the Committee on Constitutional Amendments.

By Mr. Rutta:

H. J. R. No. 46, Providing for a Constitutional Convention to be assembled in the City of Austin on the First Monday in October, 1937, for the purpose of framing a new constitution; specifying the number of delegates and prescribing the qualifications of electors and the manner of conducting the election; designating the returning offices; authorizing the Governor to issue the proclamation

convening the elected delegates; authorizing the Governor to issue his proclamation ordering said election, and making an appropriation to defray the expense of said convention and also making an appropriation to defray the expenses of issuing and publishing said proclamation.

Referred to the Committee on Constitutional Amendments.

By Mr. Bradbury:

H. J. R. No. 47, Proposing an amendment to Section 1 of Article VIII of the Constitution of the State of Texas, providing that taxation shall be equal and uniform; that all property shall be taxed in proportion to its value; Legislature may impose a poll tax and impose occupation taxes; tax incomes for both natural persons and corporation other than municipal, except persons engaged in mechanical and agricultural pursuits; exempting Two Hundred and Fifty Dollars (\$250) worth of household and kitchen furniture belonging to each family in the State; . . . etc., and providing for an election upon such proposed constitutional amendment and making an appropriation therefor.

Referred to the Committee on Constitutional Amendments.

MOTION TO PRINT HOUSE BILL NO. 90.

Mr. Morris moved that House Bill No. 90 reported adversely, with a minority favorable report, be printed.

Mr. Holland moved to table the motion to print.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—84

Adkins	Cleveland
Alexander	Colquitt
Bell	Davis of Haskell
Blankenship	Davisson
Boyer	of Eastland
Bradbury	Deglandon
Bradford	Dickison
Bridgers	Dollins
Broadfoot	Farmer
Brown	Felty
Carssow	Fielden
Cathey	Fuchs
Celaya	Hamilton

Hankamer	Nicholson
Harbin	Oliver
Harper	Patterson of Mills
Harrell	Patterson
Harris of Archer	of Travis
Harris of Dallas	Pope
Harris of Dickens	Prescott
Hartzog	Quinn
Holland	Ragsdale
Hull	Riddle
Hyder	Russell
James	Schuenemann
Johnson of Ellis	Settle
Jones of Atascosa	Sewell
Jones of Falls	Shell
Kenyon	Simpson
King	Skaggs
Knetsch	Smith of Hopkins
Leonard	Smith
Leyendecker	of Matagorda
Little	Stinson
Loggins	Stocks
Lucas	Talbert
Mann	Tennyson
Mauritz	Thornberry
Mays	Vale
McCracken	Walker
McFarland	Weldon
McKee	Westbrook
Monkhouse	Winfree
Morse	

Nays—48

Alsop	Keefe
Amos	Keith
Baker	Kelt
Beckworth	Kern
Boethel	Langdon
Bond	Leath
Burton	London
Cagle	McConnell
Callan	McDonald
Cauthorn	Metcalfe
Davis of Jasper	Moffett
Derden	Morris
England	Palmer
Fox	Petsch
Gibson	Powell
Graves	Reed of Bowie
Hanna	Reed of Dallas
Hardin	Rhodes
Heflin	Roark
Howard	Ross
Jackson	Smith of Tarrant
Johnson	Thornton
of Tarrant	Waggoner
Jones of Angelina	Wood
Jones of Wise	

Present—Not Voting

Herzik	Davison of Fisher
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Absent

Hoskins	Lankford
Huddleston	McKinney

Reader	Stevenson
Rutta	Tennant
Sharpe	Worley

Absent—Excused

Bates	Newton
Dean	Tarwater
Lanning	

BILLS RE-REFERRED

Mr. Reed of Bowie moved that House Bill No. 482 be withdrawn from the Committee on State Affairs and referred to the Committee on Revenue and Taxation.

The motion prevailed.

Mr. Powell moved that House Bill No. 717 be withdrawn from the Committee on State Affairs and referred to the Committee on Conservation and Reclamation.

The motion prevailed.

ADDITIONAL SIGNERS OF BILLS

By unanimous consent of the House, the following Members were authorized to sign bills, as co-authors of same, as follows:

Mr. Harper, House Bill No. 642.

Mr. Bell, House Bill No. 265.

MESSAGE FROM THE SENATE

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House the Senate has concurred in House amendments to Senate Bill No. 174 by the following vote:

Yeas, 27; Nays, 0.

Has passed

S. J. R. No. 9, Proposing an amendment to Section 16, Article XVI, of the Constitution of Texas, providing that the Legislature shall authorize the incorporation of banking bodies and provide for the supervision and regulation of same; providing for all of the capital stock to be subscribed and paid for before charter issued; restricting foreign corporations from doing banking business; restricting corporate business to one place.

S. B. No. 186, A bill to be entitled "An Act providing for a juvenile board and the appointment of a chief probation officer and assistant probation officers and superintendents of certain institutions in counties having a population of not more than three

hundred and twenty thousand inhabitants and not less than two hundred and twenty thousand inhabitants according to the last preceding or any future Federal Census and providing that the appointment and election of the chief probation officer and assistants and superintendents of institutions as herein provided for in such counties shall be appointed by the county judge and confirmed by such juvenile board, and declaring an emergency."

S. B. No. 278, A bill to be entitled "An Act authorizing the State Board of Control to transfer to Harris County, Texas, the title held by the State of Texas, in certain lands situated within the boundaries of the San Jacinto State Park to be used as a right-of-way for road purposes within said park, in exchange for certain land owned by Harris County, and declaring an emergency."

S. B. No. 289, A bill to be entitled "An Act creating a Special Road Law for Fannin County, Texas, and declaring an emergency."

S. B. No. 303, A bill to be entitled "An Act creating a Special Law for San Saba County, Texas, providing that said County may fund certain warrants outstanding against its Road and Bridge Fund as of February 15, 1937, by the issuance of funding bonds, and setting forth the method of issuing same, and declaring an emergency."

S. B. No. 342, A bill to be entitled "An Act creating a Special Road Law for Castro County, Texas, providing that said County may fund or refund designated interest-bearing time warrants in an amount not exceeding Eight Thousand (\$8,000.00) Dollars and designated scrip warrants, and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

RELATIVE TO RESOLUTION PERIOD

On motion of Mr. Nicholson, the House dispensed with the consideration of resolutions, at this time, with the exception of certain resolution to be offered by Mr. Smith of Tarrant.

PROVIDING FOR COMMITTEE TO INVESTIGATE TARRANT COUNTY WATER BOARD CONTROL AND IM- PROVEMENT DISTRICT

Mr. Smith of Tarrant offered the following resolution:

Whereas, On the 4th day of September, 1928, there was created what is known as Tarrant County Water Board Control and Improvement District No. 1, which district comprised a part of Tarrant, Jack and Wise Counties, Texas; and

Whereas, Said district in order to effectuate the purposes for which it was designed, issued a bonded indebtedness for approximately Six Million Five Hundred Thousand (\$6,500,000.00) Dollars, which indebtedness as above stated was in the form of bonds, which bonds were sold and the proceeds from the sale of said bonds were used in the construction of what is known as the Eagle Mountain Dam and the Bridgeport Dam, the building of which dams were finished and completed in 1931, which said dams do now and will control immense volumes of water as a result and consequence of which, the urge which prompted the creation of said dams have been realized; and

Whereas, Said two dams have been finished and a deposit of millions of barrels of water has been collected above each of said dams, which water is of immense and incalculable value if properly appropriated; no use has been made of the dams and the water deposit other than flood control, although before said dams were built the sponsors of the building of the dams and the creation of the district promised, that said water when impounded would be used in such a manner as to bring incalculable values to the district. Such values would have been brought to the district if the water had been used, or if it were now used for agricultural purposes; and

Whereas, There is assessed by said district and paid into the treasury of said district more than \$450,000.00 each year, which amount is used in payment of the interest and creating a sinking fund to retire said bonded indebtedness of the said improvement district; and

Whereas, No accounting has been made by the officials of said district,

and the public is not informed as to the disposition made of the funds so collected; and

Whereas, The funds so collected have been used in some instances and appropriated to uses which were not in keeping with the purposes thereof; and

Whereas, Since the completion of said dams large and excessive expenses have been incurred by said Board, and are now being paid as attorney's fees, engineering fees and other expenses not in the main needed, which expenses uselessly reduce the income of said board, and are not within the spirit of the purpose for which the funds so appropriated could be used; and

Whereas, In the creation of said district more than 10,000 acres of land was condemned or purchased by said board, which was not then needed, and which is not now needed, and which will never be needed for the purpose for which the bonded indebtedness was created, which land is now being leased at an inadequate consideration, which facts are well known to said board, but if unknown to said board, then the members of said board have been grossly negligent of the duties incumbent on them; and

Whereas, Said board in condemnation of land has favored some of the condemnees in that some land condemned was condemned only to the water's edge, while other land was condemned unnecessarily and not for the needful purposes of said improvement district; and

Whereas, At the time of the creation of said board there was a school population of five hundred (500) children who attended three different schools in as many districts in said improvement district; and

Whereas, Prior to the time of the creation of said board certain bonded indebtednesses were owing by the three school districts located in the area of the country covered by land which was condemned, and appropriated to the use of said improvement district; and

Whereas, Since the creation of said improvement district continuously and up to this time and forever hereafter, unless some change is made in the administration of the education of the children in said school districts, there will be a deficit in the school district funds unless and until some provision

is made by which the tax funds lost by the creation of the improvement district is supplied. School funds for the children in the district who attend the three schools will be inadequate and insufficient to properly and adequately finance the expenses incident and necessary for the education of the said five hundred (500) children; and

Whereas, It is the belief of the resident citizens of said three school districts that some provision should be made by the said improvement district which will give the needed funds to carry on the school in a manner comparable to other schools throughout the State of Texas, and funds to help retire the bonded indebtedness of said three school district, which were owing at the time of the creation of said improvement district; and

Whereas, The sponsors of the creation of the said improvement district promised that adequate and sufficient funds would be provided for said school districts, in the event the improvement district should be created and injury result to said school district by the building of the dams. That since the dams were built the tax money for said school districts has been decreased some twenty seven (27%) per cent as a result of the building of said dams, no funds have been made available by the improvement district to the school districts to bear any part of the bonded indebtedness owing by said school districts at the time of the creation of the improvement district, and no funds, no relief and no plan has been devised by which said school district would be recouped of the loss suffered by said schools as a result of the building of said dams; now, therefore, be it

Resolved, That a committee of three members of the House be appointed by the Speaker of the House to investigate and ascertain the amount of money which has been received by said board and the expenditure thereof, said committee to have the right and power to summon and swear witnesses, take testimony, reduce testimony to writing, and to effectuate the purposes of this resolution; to have such power as is inherent in district courts to summon witnesses, to require the production of books, records and reports heretofore made by the officials and employees of said water district, also

with plenary power to require the aid and assistance of the county officials of Tarrant County.

SMITH of Tarrant,
JOHNSON of Tarrant,
AMOS,
FARMER.

The resolution was read second time.

Mr. Alsup offered the following amendment to the resolution:

Amend the resolution by adding an additional resolving clause to read as follows:

"And Be it Further Resolved, That the Legislature shall never be obligated for any expenses incurred by this committee."

The amendment was adopted.

Question recurring on the resolution, it was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee: Mr. Smith of Tarrant, Mr. Johnson of Tarrant and Mr. Amos.

HOUSE BILL NO. 238 WITH SENATE AMENDMENTS

Mr. Hankamer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. B. No. 238, A bill to be entitled "An Act making appropriations to defray the costs assessed against the State of Texas of the Rio Grande joint investigation being conducted by the National Resources Committee, through the Water Resources Committee, constituted under Act of Congress, and making appropriations to pay the court costs and expenses of the Attorney General in the prosecution of the complaint of the State of Texas in the cause of the State of Texas vs. the State of New Mexico, et al., No. 12 Original, October Term, 1936, in the Supreme Court of the United States, and declaring an emergency."

The Chair laid the bill before the House with the Senate amendments.

On motion of Mr. Hankamer, the House concurred in the Senate amendments by the following vote:

Yeas—112

Adkins
Alexander
Alsup
Amos

Baker
Beckworth
Blankenship
Boethel

Boyer	Leyendecker
Bradbury	Little
Bradford	Loggins
Broadfoot	London
Burton	Lucas
Cagle	Mann
Callan	Mauritz
Carsow	Mays
Cauthorn	McCracken
Celaya	McDonald
Cleveland	McKee
Colquitt	Metcalfe
Davis of Jasper	Monkhouse
Davisson	Morris
of Eastland	Nicholson
Deglandon	Palmer
Derden	Patterson of Mills
Dickison	Patterson
Dollins	of Travis
England	Powell
Farmer	Prescott
Felty	Quinn
Fielden	Ragsdale
Fuchs	Reader
Gibson	Reed of Bowie
Graves	Reed of Dallas
Hamilton	Rhodes
Hankamer	Riddle
Hanna	Roark
Hardin	Russell
Harper	Schuenemann
Harrell	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Smith of Hopkins
Holland	Smith
Hoskins	of Matagorda
Howard	Smith of Tarrant
Huddleston	Stevenson
Hull	Stinson
Hyder	Stocks
James	Talbert
Johnson of Ellis	Tennant
Jones of Angelina	Thornberry
Jones of Falls	Thornton
Jones of Wise	Vale
Keefe	Waggoner
Kenyon	Walker
Kern	Weldon
King	Westbrook
Knetsch	Wood
Lankford	

Nays—1

Ross

Present—Not Voting

Skaggs

Davison of Fisher

Absent

Bell
Bond

Bridgers
Brown

Cathey	Leonard
Davis of Haskell	McConnell
Fox	McFarland
Harbin	McKinney
Herzik	Moffett
Jackson	Morse
Johnson	Oliver
of Tarrant	Petsch
Jones of Atascosa	Pope
Keith	Rutta
Kelt	Tennyson
Langdon	Winfree
Leath	Worley

Absent—Excused

Bates	Newton
Dean	Tarwater
Lanning	

RELATIVE TO HOUSE BILLS NOS. 356 AND 90

By unanimous consent of the House, Mr. Kelt was authorized to withdraw his name from House Bill No. 356, as co-author of same.

By unanimous consent of the House, Mr. Farmer was authorized to withdraw his name from House Bill No. 90, as co-author of same.

HOUSE BILL NO. 277 ON PASSAGE TO ENGROSSMENT

The Chair laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 277, A bill to be entitled "An Act providing relief for the Old Glory Rural High Common School District No. 4 of Stonewall County, Texas, in replacing buildings and equipment destroyed by a disastrous fire on December 13th, 1936; making an appropriation for said district to replace said buildings and equipment, and declaring an emergency."

The bill having heretofore been read second time, with committee amendment by Mr. Harris of Dickens, and amendment by Mr. Lucas to the committee amendment, pending.

(Speaker in the Chair.)

Mr. Knetsch raised a point of order, on further consideration of the pending committee amendment, on the ground that the amendment is not germane to the bill, inasmuch as the amendment seeks to change the original purpose of the bill.

The Speaker sustained the point of order.

Mr. Alsop offered the following amendment to the bill:

Amend House Bill No. 277, by striking out the figures "\$10,000.00", and inserting in lieu thereof the words and figures "Eight Thousand (\$8,000.00) Dollars."

The amendment was adopted.

Mr. McKee moved the previous question on the passage of House Bill No. 277 to engrossment, and the motion was not seconded.

House Bill No. 277 then failed to pass to engrossment.

Mr. Bond moved to reconsider the vote by which House Bill No. 277 failed to pass to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 353 ON PASS- AGE TO ENGROSSMENT

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 353, A bill to be entitled "An Act making certain emergency appropriations out of the General Revenue Fund of the State of Texas for the Live Stock Sanitary Commission for the balance of the fiscal year ending August 31, 1937, to cover the purchase of dip materials, marking paint salaries of inspectors, salaries of county supervisors, salaries of district supervisors, and traveling expenses, and declaring an emergency."

The bill having been read second time on Monday, February 22.

Question—Shall House Bill No. 353 pass to engrossment?

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 33, "An Act to prohibit the taking of fish in Kimble, Kerr, Edwards, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall or Gillespie Counties with any device equipped with more than two hooks, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said Counties; providing a closed season from January 1st to

May 1st; prohibiting the sale of any fresh water fish in said Counties; providing a penalty for any violation of this Act; repealing all General or Special laws, in so far as they conflict with this Act, and declaring an emergency."

H. B. No. 246, "An Act to declare a closed season on the killing of quail and dove in Haskell County for a period ending February 1st, 1940; prescribing a penalty therefor, and declaring an emergency."

H. B. No. 343, "An Act making an emergency appropriation to the State Prison System at Huntsville, Texas, for the erection, construction, building, and equipping of a power plant at said Huntsville Prison, Wynne State Prison Farm, and Goree State Prison Farm, and declaring an emergency."

H. B. No. 358, "An Act providing that it shall be unlawful to take any fish for sale from the waters of Lake Corpus Christi or from the waters of the Nueces River between La Fruta dam on the Nueces River and the highway bridge over the Nueces River near George West; providing a closed season for fishing in said waters; prohibiting the use of certain devices for taking fish in said waters; providing a suitable penalty for any violation of this Act; repealing all laws in conflict therewith, and declaring an emergency."

H. C. R. No. 3, Granting F. L. Ehrig and others permission to sue the State.

H. C. R. No. 9, Granting Mrs. Tom Harrell permission to sue the State.

H. C. R. No. 10, Relative to lands purchased by the Federal Government for reforestation purposes.

H. C. R. No. 15, Granting Mrs. E. L. Kitchens permission to sue the State.

H. C. R. No. 16, Granting Uvalde Construction Company permission to sue the State.

H. C. R. No. 18, Granting B. C. Brook permission to sue the State.

H. C. R. No. 19, Granting George H. Guthrie permission to sue the State.

H. C. R. No. 30, Granting Floyd Arnwine permission to sue the State.

H. C. R. No. 32, Granting Mrs. Anna Smith and others permission to sue the State.

H. C. R. No. 34, Commending the Inter-Fraternity Council of the University of Texas, the University of

Texas and the Police Department of Austin.

S. B. 104, "An Act to amend Section 9 of Chapter 22 of the Acts of the Fortieth Legislature, Regular Session, House Bill No. 80, creating the County Courts at Law of Bexar County, Texas, by providing, by this Act, that the judges of said courts may exchange benches and sit and act for and with each other in any case, matter or proceeding now or hereafter pending in said courts; . . . etc., and declaring an emergency."

S. B. No. 174, "An Act validating certain bonds of cities in the State of Texas operating under the General Laws of the State and located in counties having a population of less than 80,000 and more than 70,000 according to the last preceding United States Census, which bonds have been heretofore voted subsequent to enactment of Chapter 382, Acts of the First Called Session of the Forty-fourth Legislature of Texas, 1935, and which bonds are payable out of the revenues to be derived from the operation of the city's water works system; authorizing the city to complete its proceedings for the authorization, sale, and delivery of such bonds, and declaring an emergency."

SENATE BILLS AND SENATE JOINT RESOLUTION ON FIRST READING

The following Senate bills and Senate Joint Resolution, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate Joint Resolution No. 9, to the Committee on Constitutional Amendments.

Senate Bill No. 186, to the Committee on Counties.

Senate Bill No. 278, to the Committee on Public Lands and Buildings.

Senate Bill No. 289, to the Committee on Highways and Motor Traffic.

Senate Bill No. 303, to the Committee on Highways and Motor Traffic.

Senate Bill No. 342, to the Committee on Highways and Motor Traffic.

HOUSE BILL NO. 714 ON PASSAGE TO EN- GROSSMENT

Mr. Davison of Fisher asked unanimous consent that the House Rule governing the regular order of busi-

ness, at this time, be suspended, for the purpose of taking up for consideration, House Bill No. 714.

There was no objection offered, and it was so ordered.

The Speaker then laid before the House, on its second reading and passage to engrossment,

H. B. No. 714, A bill to be entitled "An Act making an emergency appropriation out of the Special Racing Fund of Ten Thousand, Two Hundred Sixty (\$10,260) Dollars to the Texas Racing Commission for the remainder of the fiscal year ending August 31, 1937, and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 714 ON THIRD READING

Mr. Davison of Fisher moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 714 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—114

Alexander	Fielden
Alsup	Fox
Amos	Fuchs
Baker	Gibson
Bell	Graves
Blankenship	Hamilton
Boethel	Hankamer
Bond	Hanna
Boyer	Hardin
Bradbury	Harper
Bridgers	Harris of Archer
Broadfoot	Harris of Dallas
Brown	Hartzog
Burton	Heflin
Cagle	Holland
Callan	Hyder
Carssow	Jackson
Cathey	James
Cauthorn	Johnson of Ellis
Cleveland	Johnson
Davis of Haskell	of Tarrant
Davis of Jasper	Jones of Angelina
Davison of Fisher	Jones of Atascosa
Davisson	Jones of Wise
of Eastland	Keith
Deglandon	Kelt
Derden	Kenyon
Dickison	Kern
England	King
Farmer	Knetsch
Felty	Langdon

Lankford	Reed of Bowie
Leath	Rhodes
Leonard	Russell
Leyendecker	Rutta
Little	Schuenemann
London	Settle
Lucas	Sewell
Mann	Sharpe
Mauritz	Shell
Mays	Simpson
McConnell	Skaggs
McCracken	Smith of Hopkins
McDonald	Smith
McKee	of Matagorda
Metcalfe	Smith of Tarrant
Moffett	Stevenson
Monkhouse	Stinson
Morris	Stocks
Morse	Tennant
Nicholson	Tennyson
Oliver	Thornton
Patterson	Vale
of Travis	Waggoner
Pope	Walker
Powell	Weldon
Prescott	Winfree
Quinn	Wood
Ragsdale	Worley

Present—Not Voting

Harrell

Westbrook

Absent

Adkins	Keefe
Beckworth	Loggins
Bradford	McFarland
Celaya	McKinney
Colquitt	Palmer
Dollins	Patterson of Mills
Harbin	Petsch
Harris of Dickens	Reader
Herzik	Reed of Dallas
Hoskins	Riddle
Howard	Roark
Huddleston	Ross
Hull	Tarwater
Jones of Falls	Thornberry

Absent—Excused

Bates
Dean
Lanning

Newton
Talbert

The Speaker then laid House Bill No. 714 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—122

Adkins	Amos
Alexander	Baker
Alsup	Beckworth

Bell	Kern
Blankenship	King
Boethel	Knetsch
Bond	Langdon
Boyer	Lankford
Bradbury	Leath
Bridgers	Leonard
Broadfoot	Leyendecker
Brown	Little
Burton	Loggins
Cagle	London
Callan	Lucas
Carssow	Mauritz
Cathey	Mays
Cauthorn	McConnell
Cleveland	McCracken
Davis of Haskell	McDonald
Davis of Jasper	McKee
Davison of Fisher	Metcalfe
Davison	Moffett
of Eastland	Monkhouse
Deglandon	Morris
Derden	Morse
Dickison	Nicholson
Dollins	Patterson
England	of Travis
Farmer	Pope
Felty	Powell
Fielden	Prescott
Fox	Quinn
Fuchs	Ragsdale
Gibson	Reed of Bowie
Graves	Rhodes
Hamilton	Roark
Hankamer	Ross
Hanna	Russell
Harbin	Rutta
Harper	Schuenemann
Harrell	Settle
Harris of Archer	Sewell
Harris of Dallas	Sharpe
Harris of Dickens	Shell
Hartzog	Simpson
Heflin	Skaggs
Holland	Smith of Hopkins
Hoskins	Smith
Hyder	of Matagorda
Jackson	Smith of Tarrant
James	Stinson
Johnson of Ellis	Stocks
Johnson	Tennant
of Tarrant	Tennyson
Jones of Angelina	Thornberry
Jones of Atascosa	Thornton
Jones of Falls	Vale
Jones of Wise	Waggoner
Keefe	Walker
Keith	Weldon
Kelt	Winfree
Kenyon	Worley

Nays—3

Hardin
Palmer

Wood

Present—Not Voting

Westbrook

Absent

Bradford	McKinney
Celaya	Oliver
Colquitt	Patterson of Mills
Herzik	Petsch
Howard	Reader
Huddleston	Reed of Dallas
Hull	Riddle
Mann	Stevenson
McFarland	Tarwater

Absent—Excused

Bates	Newton
Dean	Talbert
Lanning	

RECESS

Mr. Fielden moved that the House recess to 2:00 o'clock p. m., today.

Mr. Ragsdale moved that the House recess to 10:00 o'clock a. m., tomorrow.

Question first recurring on the motion by Mr. Fielden, it was lost.

Question next recurring on the motion by Mr. Ragsdale, it prevailed, and the House, accordingly, at 12:30 o'clock p. m., took recess to 10:00 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills and resolutions, as follows:

Appropriations: House Bills Nos. 615 and 714.

Counties: House Bills Nos. 463 and 611.

Highways and Motor Traffic: House Bills Nos. 607 and 613; Senate Bill No. 303.

Municipal and Private Corporations: House Bills Nos. 122, 392, 465 and 674.

Privileges, Suffrages and Elections: House Bills Nos. 350 and 677.

Public Lands and Buildings: House Bill No. 718.

Revenue and Taxation: House Bill No. 129.

State Affairs: House Bill No. 670; House Simple Resolution No. 111.

The following committees have filed adverse reports on bills, as follows:

Oil, Gas and Mining: House Bill No. 46.

Revenue and Taxation: House Bill No. 27.

The Committee on State Affairs filed an adverse report with a minority favorable report on House Bill No. 90.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,

Austin, Texas, February 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 37, To grant C. A. Lanier permission to sue the State of Texas.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 41, To grant permission to the Clement Grain Company of Waco, McLennan County, Texas, to sue the State.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. C. R. No. 43, Requesting that the Congress of the United States appropriate the full amounts authorized in the George-Dean Act, in order to assist the States in carrying out programs of Vocational Education in the public schools.

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

Austin, Texas, February 24, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 321, A bill to be entitled "An Act amending Chapter 141, Acts,

Fortieth Legislature, Regular Session, as amended by Chapter 246, Acts, Forty-second Legislature, Regular Session, creating the Office of the Veterans' State Service Office attached to the Adjutant General's Department; providing for the appointment of a Veterans' State Service Officer and certain Assistant Veterans' State Service Officers, and other necessary personnel; defining the qualifications, authority and duties of such officers; fixing and authorizing payment of their salaries, travel and other expenses; providing that the main office shall be located in Austin, Travis County, Texas; and repealing all laws and parts of laws in conflict therewith."

Has carefully compared same and finds it correctly engrossed.

BRIDGERS, Chairman.

REPORTS OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 3, Granting F. L. Ehrig and wife, Allie Burditt and wife, J. R. Compton and wife, H. L. Cone and wife, H. W. Matthews and wife, permission to sue the State of Texas and the State Highway Commission.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 9, Granting Mrs. Tom Harrell permission to sue the State of Texas and the State Highway Commission.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 10, Giving the consent of the State that the Federal

Government purchase lands in Texas for reforestation.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 15, Giving Mrs. E. L. Kitchens permission to sue the State of Texas and the State Highway Department.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 16, Granting Uvalde Construction Company permission to sue the State of Texas and the State Highway Commission.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 18, Granting B. C. Brook permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 19, Authorizing George H. Guthrie to sue the State.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 30, Granting Floyd Arnwine, his heirs, executors and administrators permission to bring suit against the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 32, Granting Mrs. Anna Smith, et al., permission to sue the State of Texas.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 34, Commending the Inter-Fraternity Council of the University of Texas, the University of Texas and the Police Department of the City of Austin.

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 33, "An Act to prohibit the taking of fish in Kimble, Kerr, Edward, Real, Sutton, Bandera, Mason, Menard, Blanco, Llano, Kendall, or Gillespie Counties with any device equipped with more than two (2) hooks, except artificial bait used with a rod and reel and excepting a twenty (20) foot minnow seine for the purpose of taking minnows for bait; providing size limits and bag limits for fish taken in said Counties; providing a closed season from January 1st to May 1st; prohibiting the sale of any fresh water fish in said Counties; providing a penalty for any violation of this Act; repealing all General or Special Laws, in so far as they conflict with this Act; excepting any portion of Medina Lake from the pro-

visions of this Act, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 358, "An Act providing that it shall be unlawful to take any fish for sale from the waters of Lake Corpus Christi, situated in the Counties of San Patricio, Jim Wells, and Live Oak, or from the waters of the Nueces River between La Fruta Dam on the Nueces River and the highway bridge over the Nueces River near George West, including all of the tributaries of the Nueces River within the boundaries of Live Oak County; providing a closed season for fishing in said waters; prohibiting the use of certain devices for taking fish in said waters; providing a suitable penalty for any violation of this Act; repealing all laws in conflict therewith, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 246, "An Act to declare a closed season on the killing of quail and dove in Haskell County for a period ending February 1, 1940; prescribing a penalty therefor, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

Austin, Texas, February 25, 1937.

Hon. R. W. Calvert, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. B. No. 343, "An Act making an emergency appropriation to the State Prison System at Huntsville, Texas, for the erection, construction, building, and equipping of a power plant at said Hunts-

ville Prison, Wynne State Prison Farm, and Goree State Prison Farm, and declaring an emergency."

Has carefully compared same and finds it correctly enrolled.

HERZIK, Chairman.

TWENTY-SEVENTH DAY

(Continued)

(Friday, February 26, 1937)

The House met at 10:00 o'clock a. m., and was called to order by Speaker Calvert.

SENATE BILL NO. 303 ON SECOND READING

Mr. Adkins moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that Senate Bill No. 303 be placed on its second reading and passage to third reading, and on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

Adkins	Graves
Alexander	Hamilton
Alsup	Hankamer
Amos	Hanna
Baker	Harbin
Beckworth	Harris of Archer
Bell	Harris of Dallas
Boethel	Hartzog
Boyer	Heflin
Bradbury	Holland
Bridgers	Hoskins
Broadfoot	Howard
Brown	Jackson
Burton	James
Cagle	Johnson of Ellis
Callan	Jones of Angelina
Cathey	Jones of Atascosa
Cauthorn	Jones of Falls
Celaya	Kelt
Cleveland	Kern
Davis of Haskell	King
Davison of Fisher	Knetsch
Deglandon	Lanning
Derden	Leyendecker
Dickison	Little
Dollins	Loggins
Farmer	London
Felty	Lucas
Fielden	Mann
Fox	Mauritz
Fuchs	Mays
Gibson	McConnell